

### **REMARKS**

Claims 1-6 and 8-20 are pending in the above-identified application. Claims 1-6 and 8-20 were rejected. Each of the rejections is respectfully traversed. Claims 1, 9 and 15 are amended. Accordingly, claims 1-6 and 8-20 remain at issue in the above-identified application.

### **Amendments to the Claims**

Claims 1, 9 and 15 have been amended to more clearly recite the claimed invention. These amendments do not change the substance or scope of the claims, and are for clarification purposes only.

### **35 U.S.C. § 103 Obviousness Rejection of Claims**

#### **1. Claims 1-6 and 8:**

Claims 1-6 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fushie et al.* (U.S. Patent No. 6,339,197) in view of *Jones et al.* (U.S. Patent No. 6,069,443). Applicants respectfully traverse this rejection.

First, as acknowledged by the Examiner, "Fushie et al does not expressly disclose . . . the conductive patterns on said sealed side surface being connected to at least one display element." (12/13/2005 Office Action at p. 2). The Examiner asserts, however, that "Jones et al discloses a device comprising a glass substrate having a sealed side surface . . . [having] the conductive patterns on said sealed side surface being connected to at least one display element." (*Id.* at p. 3). The Examiner goes on to conclude, "Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to have included a sealed side surface and an exposed side surface, as well as, to connect the conductive patterns to a display

element as taught by Jones et al using the substrate as taught by Fushie et al for the purpose of providing a low pinhole density moisture barrier.”

Although the Examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so in either the references or the knowledge generally available, Applicants respectfully submit that the Examiner has not satisfied this requirement, and thus has not established a *prima facie* case of obviousness. The only evidence submitted by the Examiner is a conclusory statement that “the knowledge generally available to one skilled in the art would suggest that a glass substrate may be used in constructing a display device.”<sup>1</sup> (12/13/05 Office Action at p. 10 (emphasis added)). However, according to §2143.01 of the MPEP, “The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” (Emphasis included in original; citing, *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (Although a prior art device “may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.” 916 F.2d at 682, 16 USPQ2d at 1432.)).

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<sup>1</sup> The Examiner further stated that “It is necessary to employ such a glass substrate in order to mount electronics devices used in the display apparatus thereon.” However, Applicants respectfully submit that this is not the case. Jones et al discloses that other types of substrates, other than glass, may be used for a display apparatus. See Jones at col. 1, Ins. 23-24 (“An organic light emitting display device is typically a laminate formed on a substrate such as soda-lime glass.”); see *also id.* at col. 4, Ins. 23-24 (“The substrate 2 may be formed from a borosilicate glass, silicon on quartz or other suitable substrate material.”).

Moreover, according to the MPEP, "A statement that modifications of the prior art to meet the claimed invention would have been 'well within the ordinary skill of the art at the time the claimed invention was made' because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references." (Emphasis included in original; citing *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993); *In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1318 (Fed. Cir. 2000) (Court reversed obviousness rejection involving technologically simple concept because there was no finding as to the principle or specific understanding within the knowledge of a skilled artisan that would have motivated the skilled artisan to make the claimed invention); *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999) (The level of skill in the art cannot be relied upon to provide the suggestion to combine references.)).

Moreover, the invention recited in claims 1-6 and 8 provides advantages over the cited art. In particular, as explained in the specification, "In the printed wiring board according to the first invention, by electrically connecting circuit parts to be electrically connected to each other to the conductive patterns provided on both the surface of the printed wiring board, it is possible to electrically connect these circuit parts to each other without use of any planar specialized regions, and hence to uniformly, flatly arrange a plurality of desired circuit parts to flatly arrange a plurality of printed wiring boards to each other." (Specification at pp. 23-24). See also, Fig. 3 ("[A]s shown in Fig. 3, by flatly sticking a plurality of the printed wiring boards 25 to each other, it is possible to

uniformly, flatly arrange the EL light emitting layers 32, and hence to display a large-sized picture without any cut lines." (Specification at p. 15).

Because the Examiner has not established a *prima facie* case of obviousness, the §103 obviousness rejection of claims 1-6 and 8 is improper and should therefore be withdrawn.

**2. Claims 9-20:**


Claims 9-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Fushie et al.* in view of *Jones et al.*, *Stevens* (U.S. Patent No. 6,392,356) and further in view of *Nakazawa et al.* (U.S. Patent No. 6,411,349). Applicants respectfully traverse these rejections for at least the same reasons discussed above with respect to claims 1-6 and 8. Withdrawal of this rejection is respectfully requested.

**Conclusion**

In view of the foregoing, Applicants submit that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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